

| Company | Plant | City | Boiler unit(s) |
|-------------------------------------|--------------------|-------------------|---------------------|
| Atlantic City Electric | Deepwaters | Deepwaters | 5/7, 7/9, 3/5, 4/6. |
| Public Service Electric & Gas | Essex | Newark | All. |
| Do | Sewaren | Woodbridge | Do. |
| Do | Bergen | Bergen | No. 1. |
| Do | Burlington | Burlington | 1-4. |
| Do | Kearney | Kearney | All. |
| Do | Hudson | Jersey City | No. 1. |
| Jersey Central Power & Light | Sayreville | Sayreville | All. |
| Do | E. H. Werner | South Amboy | Do. |

(b) Before any steam or electric power generating facility in Zone 3, as defined in N.J.A.C. 7:27-10.1, burning fuel oil on June 4, 1979, having a rated hourly gross heat input greater than 200,000,000 British Thermal Units (BTU's), and capable of burning coal without major reconstruction or construction, which facility was in operation prior to May 6, 1968, or group of such facilities having a combined rated hourly capacity greater than 450,000,000 BTU's may be permitted by the State to convert to the use of coal, the State shall submit to EPA a copy of the proposed permit together with an air quality analysis employing methodology acceptable to EPA. If EPA determines, on the basis of the submitted analysis, that the proposed coal conversion will not interfere with the attainment or maintenance of air quality standards and will not be the cause for any Prevention of Significant Deterioration (PSD) increment to be exceeded, then the permit authorizing conversion may become effective immediately upon the publication of such a determination (as a Notice) in the FEDERAL REGISTER. If EPA determines that the submitted analysis is inadequate or that it shows that the proposed conversion will interfere with attainment or maintenance of air quality standards or cause any PSD increment to be exceeded, then EPA shall so inform the State of its determination, and the permit authorizing conversion shall not become effective and conversion shall not occur until an adequate analysis is submitted or, if necessary, until a control strategy revision which would require any necessary emission reductions is submitted by the State and placed into effect as an EPA approved revision to the implementation plan. In addition, this same procedure shall apply to any State permit applied for that would au-

thorize a relaxation in the sulfur-in-coal limitation at any such facility, as defined above in this paragraph, having already been granted a permit to convert to coal.

(c) The U.S. Gypsum Co. in Clark, New Jersey is permitted to burn fuel oil with a sulfur content of 2.0 percent, by weight, at either Boiler #1, #2 or #3 until March 31, 1985 or until Boiler #4 is ready to burn coal, whichever occurs first. Such oil burning must conform with New Jersey requirements and conditions as set forth in applicable regulations and administrative orders.

[39 FR 1439, Jan. 9, 1974, as amended at 44 FR 31979, June 4, 1979; 44 FR 38471, July 2, 1979; 49 FR 30179, July 27, 1984]

§ 52.1602 [Reserved]

§ 52.1603 Significant deterioration of air quality.

(a) The requirements of sections 160 through 165 of the Clean Air Act are not met, since the plan does not include approvable procedures for preventing the significant deterioration of air quality.

(b) Regulations for preventing significant deterioration of air quality. The provisions of § 52.21(b) through (w) are hereby incorporated and made a part of the applicable state plan for the State of New Jersey.

[43 FR 26410, June 19, 1978, as amended at 45 FR 52741, Aug. 7, 1980]

§ 52.1604 Control strategy and regulations: Total suspended particulates.

(a) Any variance issued by the Department under N.J.A.C. Title 7, Chapter 27, section 6.5, subsections (a), (b), or (c) shall not exempt any person from the requirements otherwise imposed by N.J.A.C. 7:27-6.1 *et seq.*; *Provided* that the Administrator may approve such variance as a plan revision when the

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provisions of this part, section 110(a)(3)(A) of the Act, and 40 CFR, part 51 (relating to approval of and revisions to State implementation plans) have been satisfied with respect to such variance.

(b) Particulates emissions from units 1 and 2 of the Atlantic City Electric Company's B.L. England Generating Station are limited to an emission rate of 0.5 lbs/million BTU until March 31,

1982 and June 1, 1982, respectively. The opacity associated with such emissions from these units during this period shall not exceed 40 percent. On and after March 31, 1982 for unit 1, and June 1, 1982 for unit 2, these units shall be limited to an emission rate of 0.1 lbs/million BTU, and the associated opacity shall not exceed 20 percent.

[44 FR 5427, Jan. 26, 1979 and 46 FR 26305, May 12, 1981]

§ 52.1605 EPA-approved New Jersey regulations.

| State regulation | State effective date | EPA approved date | Comments |
|---|----------------------|-----------------------------------|---|
| Title 7, Chapter 26 Subchapter 2A, "Additional, Specific Disposal Regulations for Sanitary Landfills." | June 1, 1987 | June 29, 1990, 55 FR 26689 | |
| Title 7, Chapter 27 | | | |
| Subchapter 1, "General Provisions" | May 1, 1956 | May 31, 1972, 37 FR 10880 | |
| Subchapter 2, "Control and Prohibition of Open Burning" | June 8, 1981 | Sept. 30, 1981, 46 FR 47779 | |
| Subchapter 3, "Control and Prohibition of Smoke from Combustion of Fuel." | Oct. 12, 1977 | Jan. 27, 1984, 49 FR 3465 | |
| Subchapter 4, "Control and Prohibition of Particles from Combustion of Fuel." | Oct. 12, 1977 |do | |
| Subchapter 5, "Prohibition of Air Pollution | Oct. 12, 1977 |do | |
| Subchapter 6, "Control and Prohibition of Particles From Manufacturing Processes" (except section 6.5). | May 23, 1977 | Jan. 26, 1979, 44 FR 5427 | |
| Subchapter 7, "Sulfur" | Mar. 1, 1967 | May 31, 1972, 37 FR 10880 | Section 6.5, "Variances," is not approved (40 CFR 52.1570(c)(20) and 52.1604(a)). Any State-issued variances must be formally incorporated as SIP revisions if EPA is to be bound to their provisions (40 CFR 52.1604(a)). |
| Subchapter 8, "Permits and Certificates, Hearings, and Confidentiality," | Apr. 5, 1985 | Nov. 25, 1986, 51 FR 42573 | |
| Sections 8.1, 8.2, and 8.11 | Mar. 2, 1992 | Apr. 15, 1994, 59 FR 17935 | |
| Subchapter 9, "Sulfur in Fuels" | Feb. 4, 1983 | July 8, 1983, 48 FR 31400 | Sulfur dioxide "bubble" permits issued by the State pursuant to § 9.2 and not waived under the provisions of § 9.4 become applicable parts of the SIP only after receiving EPA approval as a SIP revision. "Clean conversion incentive" permits issued pursuant to § 9.5 must receive EPA approval as a SIP revision to become applicable parts of the SIP. Notification of "large zone 3 coal conversions" must be provided to EPA (40 CFR 52.1601(b)). |
| Subchapter 10, "Sulfur in Solid Fuels" | July 14, 1981 | Nov. 3, 1981, 46 FR 54542 | |
| Subchapter 11, "Incinerators" | Aug. 15, 1968 | May 31, 1972, 37 FR 10880 | |
| Subchapter 12, "Prevention and Control of Air Pollution Emergencies" | Mar. 27, 1972 |do | |
| Subchapter 13, "Ambient Air Quality Standards" | June 25, 1985 | Nov. 25, 1986, 51 FR 42573 | |
| Subchapter 14, "Control and Prohibition of Air Pollution From Diesel-Powered Motor Vehicles." | July 1, 1985 | June 13, 1986 | |
| Subchapter 15, "Control and Prohibition of Air Pollution From Light-Duty Gasoline-Fueled Motor Vehicles" .. | Jan. 21, 1985 | Sept. 17, 1992, 57 FR 42893 | |
| Subchapter 16, "Control and Prohibition of Air Pollution by Volatile Organic Compounds" .. | Mar. 2, 1992 | Apr. 15, 1994, 59 FR 17935 | Variances adopted by the State pursuant to § 15.8 become applicable only if approved by EPA as SIP revisions. Earlier versions of Subchapter 16 remain part of the SIP only to the extent of determining compliance dates which have since passed. |
| Subchapter 17, "Control and Prohibition of Air Pollution by Toxic Substances;" .. | Mar. 2, 1992 | Apr. 15, 1994, 59 FR 17935 | Subchapter 17 is included in the SIP only as it relates to the control of perchloroethylene. |

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| Subchapter 18, "Control and Prohibition of Air Pollution from New or Altered Sources Affecting Ambient Air Quality in Nonattainment Areas (Emission Offset Rule)" (except as noted regarding sections 18.1 and 18.2(e)(1)). | Sept. 8, 1980 | Apr. 15, 1981, 46 FR 21996 | The definitions of "significant emission increase," in §§18.1, and 18.2(e)(1) are disapproved. Federally promulgated regulations (40 CFR 52.1578(c), published at 46 FR 21996 on Apr. 15, 1981) are applicable. |
| Subchapter 18, "Control and Prohibition of Air Pollution from New or Altered Sources Affecting Ambient Air Quality (Emission Offset Rule)". | Mar. 11, 1985 | Nov. 25, 1986, 51 FR 42573 | The approval of this version of Subchapter 18 only relates to the review of major sources of lead and the review of significant increases of lead emissions at major sources. |
| Subchapter 21, "Emission Statements;" | Mar. 15, 1993 | Aug. 4, 1994, 59 FR 39689. | Approves 1992 revision of Subchapter 25 except that (1) oxygenated gasoline provisions are approved only as they apply to the four month control period from November 1 through the last day in February, consistent with the February 21, 1995 NJDEP modification of N.J.A.C. 7:27-25; and (2) oxygenated gasoline provisions are approved only as they apply to the Northern New Jersey portion of the New York-Northern New Jersey-Long Island consolidated metropolitan statistical area. |
| Subchapter 23, "Prevention of Air Pollution by Architectural Coatings and Consumer Products;" | Mar. 2, 1992 | Apr. 15, 1994, 59 FR 17935 | |
| Subchapter 25, "Control and Prohibition of Air Pollution by Vehicular Fuels;" | Oct. 5, 1992 | Feb. 12, 1996, 61 FR 5302 | |
| Title 7, Chapter 27B | | | |
| Subchapter 3, "Air Test Method 3: Sampling and Analytic Procedures for the Determination of Volatile Organic Compounds from Source Operations". | Mar. 2, 1992 | Apr. 15, 1994, 59 FR 17935 | Only Sections 1, 2, 3 and 4 of Subchapter 4 are approved. |
| Subchapter 4, "Air Test Method 4, Testing Procedures for Motor Vehicles." | July 1, 1985 | June 13, 1986 | |
| Title 13, Chapter 20: | | | |
| Subchapter 28, "Enforcement Service Inspection of New Passenger Vehicles and New Motorcycles". | Jan. 21, 1985 | September 17, 1992, 57 FR 42893 | Only Sections 3.23, 3.24, 3.27, 6.15, 6.21, 6.30, 7.14, 7.17, 7.23, 8.15, 8.22, 8.25 are approved. |
| Title 16, Chapter 53 | | | |
| "Autobus Specifications" | Sept. 26, 1983 | June 13, 1986 | |

[46 FR 57677, Nov. 25, 1981, and 46 FR 61266, Dec. 16, 1981, as amended at 48 FR 31400, July 8, 1983; 48 FR 51480, Nov. 9, 1983; 49 FR 3465, Jan. 27, 1984; 51 FR 21549, June 13, 1986; 51 FR 23418, June 27, 1986; 51 FR 42573, Nov. 25, 1986; 54 FR 25582, June 16, 1989; 55 FR 26689, June 29, 1990; 56 FR 50518, Oct. 7, 1991; 57 FR 42893, Sept. 17, 1992; 57 FR 53441, Nov. 10, 1992; 58 FR 29977, May 25, 1993; 59 FR 17935, Apr. 15, 1994; 59 FR 39689, Aug. 4, 1994; 60 FR 32276, June 21, 1995; 61 FR 5302, Feb. 12, 1996]

§ 52.1606 Visibility protection.

(a) The requirements of section 169A of the Clean Air Act are not met because the plan does not include approvable procedures meeting the requirements of 40 CFR 51.305 and 51.307 for protection of visibility in mandatory Class I Federal areas.

(b) Regulations for visibility monitoring and new source review. The provisions of §§ 52.26 and 52.28 are hereby incorporated and made part of the applicable plan for the State of New Jersey.

(c) *Long-term strategy.* The provisions of § 52.29 are hereby incorporated and made part of the applicable plan for the State of New Jersey.

[51 FR 23759, July 1, 1986, as amended at 52 FR 45137, Nov. 24, 1987]

§ 52.1607 Small business technical and environmental compliance assistance program.

On January 11, 1993, the New Jersey Department of Environmental Protection and Energy submitted a plan for the establishment and implementation of a Small Business Stationary Source Technical and Environmental Compliance Assistance Program for incorporation in the New Jersey state implementation plan. This plan satisfies the requirements of section 507 of the Clean Air Act, and New Jersey must implement the program as approved by EPA.

[59 FR 34386, July 5, 1994]

Subpart GG—New Mexico

§ 52.1620 Identification of plan.

(a) Title of plan: "State of New Mexico Implementation Plan."

(b) The plan was officially submitted on January 27, 1972.

(c) The Plan revisions listed below are submitted on the dates specified.

(1) The Environmental Improvement Agency submitted revisions of Air Quality Control Regulations 506, 507, 604, 605, 606, 651, and 652 (adopted by the Board on January 10, 1972) on March 7, 1972.

(2) Additions of sections 12-14-1 through 12-14-13 of the State's Air Quality Control Act, and Regulations 504, 602, and 603 were submitted by the Governor on May 9, 1972.

(3) Revisions of Regulations 702, 703, 704, and 705, as adopted by the Board on July 29, 1972, and revisions of Sections IV, V, VII, and VIII, were submitted by the Environmental Improvement Agency on July 31, 1972.

(4) State Attorney General's opinion on legal authority and confidentiality of source data was submitted on September 4, 1972. (Non-regulatory)

(5) Revisions of the New Source Review and Source Surveillance sections of the New Mexico Implementation Plan were submitted by the Environmental Improvement Agency on January 3, 1973. (Non-regulatory)

(6) Clarification of the State permit and source surveillance regulations was submitted by the Environmental Improvement Agency on January 18, 1973. (Non-regulatory)

(7) Regulation 705, Compliance Schedules, was submitted by the Governor on February 12, 1974.

(8) Revisions to Regulation 602, Coal Burning Equipment-Sulfur Dioxide, as adopted by the New Mexico Environmental Improvement Board on December 13, 1974, were submitted by the Governor on October 3, 1975 (see § 52.1624).

(9) Revisions to Regulation 100, Definitions, Regulation 705, Schedules of Compliance, and a new Regulation 706, Air Quality Maintenance Areas, were submitted by the Governor on November 6, 1975 (see § 52.1633).

(10) Revisions to sections 12-14-2, 12-14-6, and 12-14-7 of the New Mexico Air Quality Control Act were submitted by the Governor on November 6, 1975.

(11) Revisions to the plan for attainment of standards for particulate matter in Albuquerque and Grant, Eddy and Lea Counties, sulfur dioxide in San Juan and Grant Counties; ozone in Albuquerque and carbon monoxide in Las Cruces, Farmington and Santa Fe were submitted by the Governor on January 23, 1979.

(12) Ordinance for motor vehicle emissions inspection/maintenance program for Albuquerque submitted by the Governor July 2, 1979.

(13) Commitments regarding the development of a TSP plan for Albuquerque, modifications to the permit regulations and commitments regarding